

HOUSE JOINT RESOLUTION 22

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

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A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO
ESTABLISH THE NUMBER AND QUALIFICATIONS OF MEMBERS OF THE
BOARDS OF REGENTS OF THE STATE EDUCATIONAL INSTITUTIONS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend the constitution of
New Mexico by repealing Article 12, Section 13 and enacting a
new Article 12, Section 13 to read:

"A. The legislature shall provide for the control
and management of each of the state educational institutions
enumerated in Article 12, Section 11 of the constitution of New
Mexico by a board of regents for each institution.

B. The board of regents for New Mexico state
university, New Mexico institute of mining and technology,
eastern New Mexico university, western New Mexico university,

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1 New Mexico highlands university and northern New Mexico state
2 school shall consist of seven members nominated, appointed and
3 qualified as provided in Subsection D of this section.

4 C. The board of regents for the university of New
5 Mexico shall consist of nine members nominated, appointed and
6 qualified as provided in Subsection D of this section.

7 D. For each educational institution enumerated in
8 Subsections B and C of this section:

9 (1) one of the members of the board of regents
10 shall be a faculty member of the institution nominated and,
11 with the consent of the senate, appointed by the governor from
12 a list provided by the faculty of the institution; provided
13 that the faculty of each institution shall determine how the
14 faculty list is derived;

15 (2) one of the members of the board of regents
16 shall be a student at the institution nominated and, with the
17 consent of the senate, appointed by the governor from a list
18 provided by the president of the institution. The president,
19 in making the list, shall include recommendations of the
20 student body president of the institution; and

21 (3) all other members of the board of regents
22 shall be qualified electors of the state, no more than a simple
23 majority of whom at the time of their appointment shall be
24 members of the same political party.

25 E. The term of the faculty members of the boards of

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1 regents enumerated in Subsections B and C of this section shall
2 be three years; the terms of student members shall be two
3 years; and the terms of appointed members shall be six years.

4 F. The boards of regents of the New Mexico military
5 institute, New Mexico school for the deaf and the New Mexico
6 school for the blind and visually impaired shall consist of
7 five members, no more than three of whom at the time of their
8 appointments shall be members of the same political party. The
9 governor shall nominate and by and with the consent of the
10 senate shall appoint the members of each board. The terms of
11 the members of the boards of regents shall be six years.

12 G. A vacancy on a board of regents shall be filled
13 in the same manner as the original appointment; provided that
14 the appointment of a person to fill a vacancy shall be only
15 until the expiration of the original term. A member shall not
16 be removed except for incompetence, neglect of duty or
17 malfeasance in office. No removal shall be made without notice
18 of hearing and an opportunity to be heard having first been
19 given the member. The supreme court of New Mexico has
20 exclusive original jurisdiction over proceedings to remove
21 members of the board under such rules as it may promulgate, and
22 its decision in connection with such matters shall be final."

23 Section 2. The amendment proposed by this resolution
24 shall be submitted to the people for their approval or
25 rejection at the next general election or at any special

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1 election prior to that date that may be called for that
2 purpose.

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